

## Food Safety and Inspection Service, USDA

## § 351.1

accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at the rates specified in §§ 391.2, 391.3, and 391.4 respectively for base time; for overtime including Saturdays, Sundays, and holidays; and for certain laboratory services which are not covered under the base time, overtime, and/or holiday costs. Such fees shall cover the costs of the service and shall be charged for the time required to render such services. Where appropriate, this time will include, but will not be limited to, the time required for travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

[23 FR 9982, Dec. 23, 1958, as amended at 53 FR 13397, Apr. 22, 1988; 54 FR 6389, Feb. 10, 1989]

### § 350.8 Scope and applicability of rules of practice.

The rules of practice of the Department of Agriculture in subpart H of part I, subtitle A, title 7 of the Code of Federal Regulations, are the rules of practice applicable to adjudicatory, administrative proceedings under the regulations in this part (9 CFR part 350).

[43 FR 11147, Mar. 17, 1978]

## PART 351—CERTIFICATION OF TECHNICAL ANIMAL FATS FOR EXPORT

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AUTHORITY: 7 U.S.C. 1622, 1624; 7 CFR 2.17 (g) and (i), 2.55.

SOURCE: 40 FR 58627, Dec. 18, 1975, unless otherwise noted.

### DEFINITIONS

#### § 351.1 Meaning of words.

Words used in this part in the singular form shall be deemed to import

the plural, and vice versa, as the case may demand.

**§ 351.2 Terms defined.**

When used in this part, unless the context otherwise requires:

(a) *Department* means the United States Department of Agriculture.

(b) *Program* means the Meat and Poultry Inspection Program of the Food Safety and Inspection Service of the Department.

(c) *Administrator* means the Administrator of the Food Safety and Inspection Service of the Department, or any officer or employee of the Department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) *Circuit supervisor* means an employee of the Program assigned to supervise and perform official work in a circuit. Such employee is assigned by and reports directly to the Administrator or person designated by him.

(e) *Inspector* means an employee of the Program or a cooperating State.

(f) *Circuit* means one or more inspected plants assigned to a circuit supervisor.

(g) *Recognized State* means any State not designated in § 331.2 of this chapter.

(h) *Cooperating State* means any State cooperating under § 351.7 in administration of the regulations in this part.

(i) *Inspection* means ante-mortem and post-mortem inspection by Program inspectors or inspectors of a Meat Inspection Service of a recognized State.

(j) *Animals* means cattle, sheep, swine, goats, horses, mules and other equines.

(k) *Technical animal fat* means animal fat eligible for exportation, or storage for exportation, in accordance with § 325.11 of this chapter.

(l) *Certified technical animal fat* means technical animal fat certified for ex-

port or storage for export under the regulations in this part.

(m) *Tallow* means technical animal fat with a minimum titre of 40 °C.

(n) *Certified plant* means any plant or storage facility preparing or storing certified technical animal fat for export, or for transfer to another certified plant or storage facility for ultimate export, and at which certification service is provided under the regulations in this part.

(o) *Inspected and Passed* means inspected and passed under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) or the meat inspection laws of a recognized State.

SCOPE OF CERTIFICATION SERVICE

**§ 351.3 Kind of service.**

(a) Certification, in the form set forth in paragraph (b), is available under the regulations in this part for specific lots of technical animal fat for export, if the fat was rendered from materials derived from carcasses, or parts of carcasses, that had been inspected and passed and came from animals that did not die otherwise than by slaughter under inspection. The certification will be made by a Program employee when he determines, upon the basis of examinations made by him or other inspectors, as provided in § 351.14, and information obtained by him or them from the exporter or other sources, as provided in the regulations in this part, that the technical animal fat is eligible for certification under this section and therefore the statements to be certified are correct. The service will be available upon a voluntary fee basis in accordance with said regulations.

(b)(1) The form of Certificate for Export of Technical Animal Fats is as follows: